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04-19-03

CASE D0020 NP

DAC/A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV305489986US
Express Mail Label Number

April 16, 2004
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ART UNIT: 1646

FEDER ET AL.

EXAMINER: JIANG, DONG

APPLICATION NO: 09/932,145

FILED: August 17, 2001

FOR: NOVEL IMIDAZOLINE RECEPTOR HOMOLOGS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD FILING DATE
FOR EXPRESS MAIL CORRESPONDENCE NOT RECEIVED BY P.T.O. (37 C.F.R. § 1.10(e))

1. This is a petition to accord the correspondence in the above-identified application a filing date of September 17th, 2003, which is the date the correspondence was deposited with the U.S.P.S. with proper postage.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and 1.10

I hereby certify that, on the date shown below, this correspondence was deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

as "Express Mail Post Office to Addressee", Mailing Label No. EV306636575US
dated 9/17/03 and accepted by CB

2. Submitted herewith is the statement indicating when the discrepancy was discovered and establishing that this petition is being filed promptly thereafter. 37 C.F.R. § 1.10(e)(1).

The undersigned states that this discrepancy was first discovered during the week of March 22nd, 2004 during a docket review to identify any discrepancies between internal docket records and the U.S.P.T.O. PAIR system.

The undersigned further states that this discrepancy was confirmed via a telephone conversation with Examiner Dong on April 6th, 2004. Upon receiving this confirmation, the undersigned diligently addressed this discrepancy by preparing the instant petition in addition to the required showing.



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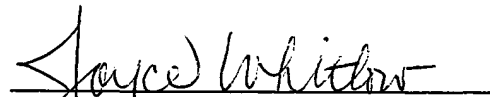
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPORTING STATEMENT FOR PETITION TO ACCORD FILING DATE
FOR EXPRESS MAIL CORRESPONDENCE NOT RECEIVED BY P.T.O. (37 C.F.R. § 1.10(e))

The undersigned states that the copies of the correspondence, "Express Mail" mailing label, and returned postcard receipt accompanying this petition were deposited as "Express Mail" with the U.S.P.S. on September 17th, 2003 at 3:24 P.M.

The undersigned further states that the copies of the correspondence, "Express Mail" mailing label, and returned postcard receipt accompanying this petition are true copies of the correspondence, mailing label and returned postcard receipt originally mailed or received.

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-3597


Joyce Whitlow
IR Legal Assistant II

Date: April 16, 2004


3. Submitted herewith, in accordance with 37 C.F.R. § 1.10(e)(3), are the following:

- A true copy of the originally-deposited paper(s) or fee(s).
- A true copy of the "Express Mail" mailing label showing the "date-in."
- A true copy of the returned Post Card showing receipt of these papers by the U.S.P.T.O.
- A true copy of the Express Mail bill sent to Bristol-Myers Squibb showing the Express Mail Label Number and the date of deposit as September 17th, 2004.
- Bristol-Myers Squibb U.S.P.T.O. Account log showing the withdrawal of the fees for the originally-deposited papers.

4. Submitted herewith is a statement signed by the person who deposited the documents as "Express Mail" with the U.S.P.S., setting forth the date and time of deposit, and declaring that the copies of the correspondence, "Express Mail" mailing label, and returned postcard receipt accompanying this petition are true copies of the correspondence, mailing label and returned postcard receipt originally mailed or received.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-5289



Stephen C. D'Amico
Agent for Applicants
Reg. No. 46,652

Date: April 16, 2004

3454

Case No.: D0020

Application No.: 09/932,145

Mailing Date: 9/17/03

Due Date: _____

Express Mail No.: EV306636575 US

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

- ☒ Amendment/Response/Letter - Fee \$ _____
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 - ☐ Specification _____ Pg's
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- ☐ Amendment After Final
- ☐ Notice of Appeal - Fee \$ _____
- ☐ Appeal Brief - Fee \$ _____
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Response to RST Requirement
W/O TRAVERSE



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Mo. Day	Delivery Date	Time	
Mo. Day	Delivery Date	Time	
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STEPHEN DAVIS
BRISTOL-MYERS SQUIBB CO
PO BOX 4000
PRINCETON NJ 08543-4000

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TO: (PLEASE PRINT) **PHONE**

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Date In Mo. Day Year 9 17 03	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 13.65	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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Weight lbs. 3.90 ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee	Mo. Day 9 17 2003	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. With delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.	
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CUSTOMER USE ONLY			FEDERAL AGENCY ACCT. NO. OR POSTAL SERVICE ACCT. NO.		
METHOD OF PAYMENT: Express Mail Corporate Acct. No. X063205					
FROM: (PLEASE PRINT) STEPHEN DAVIS BRISTOL-MYERS SQUIBB CO PO BOX 4000 PRINCETON NJ 08543-4000 D0020NP SCP			TO: (PLEASE PRINT) MAIL STOP 1111 - Fee Agreement COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450		
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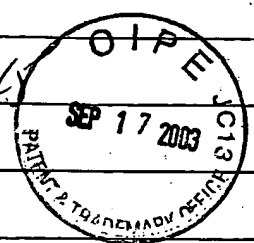
3454

Case No.: D0020

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- ☐ Issue Fee Payment - \$ _____
- ☐ Assignment Rec. Req. - Fee \$ _____
- ☐ Formal Drawings _____ Pg's
- ☒ IDS 2 Pg's - Fee \$ 180
- ☒ PTO-1499 Form 1 Pg's
- ☐ Pet. for Ext. of Time - Fee \$ _____
- ☐ Seq. Listings _____ Pg's/Seq. Disk

BMS-P-335

Response to RST. Requirement
W/O TRAVERSE

(1 ref.)

SCD
Initials

PRINCETON NJ 08540-9998


**EXPRESS MAIL CORPORATE ACCOUNT
MAILING STATEMENT**

ACCOUNT NO: 085205

**DEPOSIT REQUIRED
UPON RECEIPT**

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 Please make check payable to POSTMASTER.
Include Account Number on check and send to:

 ERNIE FUSCO
BRISTOL-MYERS SQUIBB & CO
PO BOX 4000
PRINCETON NJ 08543-4000

 POSTMASTER
BRA #1
213 CARNAGIE CENTER
PRINCETON NJ 08540-9998


Return Top Portion With Your Payment

SEP FY03

ACCOUNT NO.		ACCOUNT ZIP		STATEMENT DATE		BEGINNING PERIOD		ENDING PERIOD	
085205		08540		10/01/03		09/01/03		09/30/03	
BEGINNING BALANCE	DEPOSITS	REFUNDS	POSTAGE	ADJUSTMENTS	WITHDRAWALS	TRANSFERRED TO PM	ENDING BALANCE		
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NO. OF TRANSACTIONS	0	0	53	0	0	DEPOSIT REQUIRED BASED ON PREVIOUS MAILING ACTIVITY			
See reverse side for important information. For statement inquiries, call your account representative within 90 days of statement date.						\$ 0.00			

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PAGE: 1

EXPRESS MAIL CORPORATE ACCOUNT
MAILING STATEMENT

ACCOUNT NO: 085205

PERIOD: 09/01/03 - 09/30/03

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USPTO ACCOUNT
BMS withdrawals

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LA118 PSP	9/17/2003	3476	DeRuyter, Barbara	1005	Domestic	\$160.00
DB33 NP				Issue fee, Publication fee, soft copies	Domestic	\$1,630.00
/09/779,109	9/17/2003	3477	Markee, Tina	Missing parts	Domestic	\$130.00
LA0089 NP	9/17/2003	3478	DeRuyter, Barbara			